LIBRARY ACCESSION

5. 14 12(8)

CERTAINE ACTS PAR ticularlie recommended by our moſt GRATIOVS AND SACRED SOVERAINE TO THE E. ſtates of Parliament of the Kingdome of Scotland, and by them, after graue and mature adviſement and deliberation hartilie imbraced, concluded: and *the* 20. *day of June* 1609. *inacted to ſtand for perpetuall lawes in all time to come*: with moſt humble thanks to God for ſo wiſe & care- *full a Prince and Ruler, and moſt earneſt prayer for his moſt* Excellent Majeſties long raigne in all proſpetitie.

PRINTED AT EDINBVRGH BY ROBERT CHAR: teris, Printer to the Kings moſt Excellent Majeſtie, 1609.

Cum Privilegio Regiæ Majeſtatis.

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Act anent choosing of Pedagoges to children passing forth of Scotland to schooles.

FOrasmuch as our Soveraine Lord and Estates of this present Parliament Considering that one of the great causses which hes procured the grouth and increase of Papists within this kingdome hes proceeded from the small care and regarde that hes bene had of the education and vpbringing of the youth, who being sent forth of the realme to places of contrarie profession, and not being first well grounded in religion, and accompanied with Pedagoges learce well affected to religion, they doe often returne back so possest with superstition and hereticall errors, as they may be justlie suspected for dangerous subjects in the estate. For preventing of which grouth and increase of defection from the trew faith by the occasion foresaid, Our said Soveraine Lord and Estates foresaids, Ordaines that all such Noble men and others who hereafter shall direct anie Pedagoges with their sonnes out of the countrie, shall be holden by vertew of this present Act, to haue a sufficient testimoniall of the Bishop of the diocie where the said Pedagoge for the most part latelie before made his residence: Testifying and approouing the said Pedagoge to be godlie and of good religion, learned & instructed in the same. And if anie Noble man or other shall happen to send anie Pedagoge with their sonnes out of the countrie without the testimoniall and approbation of the Bishop in maner aboue written, In that cace our saide Soveraine Lord and Estates foresaids Declares, statutes and ordaines that everie such Noble man and others according to their severall degrees and ranks shall incur the paines particularlie vnderwritten, viz. everie Earle fiue thousand pounds, everie Lord fiue thousand marks, and everie barron three thousand marks; which summes shalbe intromerted with & vplifted of them by his Majesties Thesaurer & his depute to his Highnes vse: Providing incace it shal happen the Bishop of that diocie to refuse to grant testimonial to the Pedagoge vpon the premisses, the said Bishop thereafter being lawfullie summoned to compeere before the Lords of his Highnes Secreete Counsell to answere to that complaint, and show not a reasonable cause of that his refusall, Than and in that cace, it shall be lawfull to the Lords of secreet Counsell to giue their testimoniall to the foresaid Pedagoge, to the effect aboue written.

Act againſt children that becomes papiſts when they are out of Scotland.

OVr Soveraine Lord and Eſtates of this preſent Parliament Ordaines the Noblemen, Barons and others to haue a ſpeciall care and to giue order and direction that the remaining of their ſonnes forth of the countrie ſhall be in places where Religion is profeſſed, or at the leaſt where there is no reſtraint of the ſame by the crueltie of Inquiſition: and that during the time of their abſence they ſhall not haunt any idolatrous exerciſe of religion, And that ſuch perſones as hes not the moyen to intertaine with their ſonnes a Pedagoge ſhall ſend them to ſuch places where religion is profeſſed. And incace their ſonnes after their departure out of the countrie ſhall haunt the exerciſes of contrarie religion, Our ſaid Soveraine Lord and Eſtates foreſaids ordaines that their parents or ſuch others as hes the charge of them ſhall be ſtraited to find caution acted in the bookes of ſecreet Counſel vnder ſuch paines as ſhall be modified, that they ſhall not ſupplie, intertaine nor furniſh them with any thing neceſſare or comfortable vnto them after that it be knowne that their ſonnes are become papiſts and haunts Idolatry contrarie to the religion preſentlie profeſſed within Scotland, except their reſonable expenſſes in recalling and bringing them to this Realme of Scotland.

Act anent excõmunicate perſones pot to inioy their lands, rowmes and poſſeſsions.

OVr Soveraine Lord and Eſtates of this preſent Parliament Conſidering that whereas there is divers perſones who are excommunicate for not conforming themſelues to the trew religion preſently profeſſed, and do notwithſtanding ſtil injoy the poſſeſſions of their lands, rents and living. eyther directlie in their owne perſons or covertlie in the perſons of their friends and wel-willers to their vſe & behoofe, to the couraging of them to perſiſt in their pernitious and erroneous opinions, & to the fruſtrating of the execution of the acts and conſtitutions made againſt excommunicants heretofore. Therefore our ſaid Soveraine Lord and Eſtates foreſaids Declares, ſtatutes and ordaines That no perſons whatſoever who are alreadie or hereafter ſhall happen to be excommunicate for not conforming themſelues to the Religion preſentlie profeſſed within this kingdome, ſhall be ſuffered eyther directlie in their own perſons, or covertlie and indirectlie by any others in their names and to their behoofe, injoy the poſſeſſion of their lands, rents and revenewes, But that the ſame ſhall be medled with, intrometted with and vplifted to his Maieſties vſe.

Act giuing command to Biſhops to ſend the names of excommunicate perſones to the Theſaurer and to the Director of the Chancellarie.

OVR Soveraine Lord and Eſtates of this Preſent Parliament conſidering that to the effect everie mans affection & diſpoſition in his religion may be clearly and ſufficiently knowne, Therefore our ſaid Soveraine Lord and eſtates foreſaids Satutes and ordaines that everie Arch-biſhop and Biſhop within the bounds of his owne diocie ſhall once everie yeere giue vp to the Theſaurer, Comptroller, Collector and their deputes, and to the Director of our Soveraine Lords Chancellarie, a Roll ſubſcriued with his hand containing the names of all ſuch perſones within his diocie who are excommunicate for religion, and ordaines the ſaid Theſaurer and his deputes that they receiue no reſignations nor grant confirmations nor infeftments to nor in favors of anie of the perſones whoſe names ſhall be contained in the ſaid Roll: And that the Director of the Chancellarie and his deputes giue out no breeues, receiue no retoures, nor direct no precept vpon retoures, nor vpon compryſings in favors of any of the ſaids perſones whoſe names ſhall be inſert in the ſaid Roll at no time thereafter, while the ſaid perſone or perſones produce vnto the ſaid Theſaurer, Comptroller, Director of the Chancellarie and their deputes a ſufficient teſtimonial ſubſcriued by the ſaid Archbiſhop or Biſhop, teſtifying their relaxation from the ſaid excommunicatiō and their obedience and ſatisfaction to the Kirk, as the ſaid Theſaurer, Director of the Chancellarie and their deputes will be anſwerable to his Maieſtie vppon the dewtie of their office. And likewiſe our ſaid Soveraine Lord and Eſtates foreſaids Declares that it ſhall be lawfull to all Lords of Regalities and to all ſuperiors whatſomever within this Kingdome, To refuſe breeues and preceptes of clare-conſtat in favors of anie perſon or perſons whoſe names ſhall be inſert in the ſaid Roll: As alſo to refuſe the entrie of Tennents vppon compryſing, whoſe names are inſert in the ſame Roll.

Act againſt Ieſuites, Seminarie Preeſts and reſetters of them.

OVR Soveraine Lord and Eſtates of this preſent Parliament Conſidring the impunitie of Ieſuites, Seminarie Preeſts and other papiſts adverſaries to the trew Religion profeſſed in this realme, and their reſetters in times bygone, hes bene the cauſe as well of their increaſe as of their inſolence in all the parts of this realme, And that the ſame hes proceeded partlie vppon the negligent execution of the Actes of Parliament made againſt the ſaid Papiſts, Ieſuites and Seminarie Preeſtes and their re-

reſetters,

ſetters, and partlie vpon ſome obſcuritie of words in the ſaids acts. Therefore our ſaid ſoveraine Lord and Eſtates foreſaids moſt willing to haue the ſaids acts put to dew execution in all points, and Papiſtrie and ſuperſtition vtterly ſuppreſſed according to the intention of the ſame, Hes ratified, approued and confirmed, and by the tenor of this preſent act Ratifies, approues & confirmes all & whatſomever acts of Parliament, eyther made in his Highnes minoritie and leſſe age, or elſe ſince his acceptation of the governement in his own perſon, againſt Ieſuites, Seminarie Prieſts, Papiſts, ſayers & hearers of Maſſe & reſetters of the ſaids perſons or any of thē, & decerns and ordaines the ſame to haue full ſtrength, force and effect, and to be put to dew execution in all time comming with theſe explanations after following, That the ſaids acts made againſt hearers and ſayers of maſſe ſhalbe put to dew execution, and be extended to all hearers and ſayers of Maſſe, without any exception or reſtriction, As likewaies that all acts made of before againſt the reſetters of the ſaids perſons haue their full force, ſtrength and effect, and be put to dew execution againſt the ſaid reſetters, after lawfull intimation and denunciation be made of the ſaids perſons: which denūciation and intimation his Highnes and the eſtates foreſaids declares to be ſufficient to cauſe the ſaids reſetters of the ſaids Papiſts, Ieſuites, Seminarie Prieſts and others conteined in the ſaids acts, Incur the paines therein conteined, if the ſame be made at the head burgh of the ſhyre where the ſaids perſons remaines, and at the mercat croſſe of Edinburgh, without anie farther intimation to be made thereanent. After the which denunciation and Intimation, to be made, as ſaide is, Our ſaid Soveraine Lord and Eſtates foreſaids Declares that who ſoever thereafter ſhall wittinglie & willinglie reſet anie of the ſaids perſones, eyther privatlie or publictlie, that the ſaids reſetters ſhall incur the paines conteined in the ſaids acts, they being lawfullie convict thereof. And that the act made in his Highnes firſt Parliament, bearing that none that profeſſe not the trew religion preſentlie profeſſed within this realme may be Iudge, Procurator or member of court, Be extended to all and what ſomever offices, without any exception or reſtriction in all time comming. And for the better execution of the ſaids acts Our ſaid Soveraine Lord and Eſtates foreſaids Commands & ordaines all Arch-biſhops, Biſhops and Presbytries to call before them the ſaids papiſts, Ieſuites, Seminarie Prieſts and their reſetters, everie one within their owne bounds, And to take tryall and cognition if they haue contraveened the ſaids acts or anie part thereof, And according as they finde after dewe tryall and probation That they report the ſame to his Highnes Advocate and ſecreete counſell, To the effect they may be called and conveened before them, and puniſhed according to the ſaids acts in all points.

Act of the Commiſſariates and iuriſdiction giuen to Arch-biſhops & Biſhops.

OVr Soverain Lord vnderſtanding that in all wel gover-ned republicks, the iuriſdiction civil & eccleſiaſtick are ſeverall, diſtinct & divers iuriſdictiõs, which oght to be adminiſtrat by the perſons to whom the ſame properly belongs: and according to his Highnes moſt loving & princely affection borne alwaies to the chriſtian refor-med Church within this realme, beeing moſt willing that the ſaid Church ſhould brook and ioiſe their liberties, priviledges, fre-dome and iuriſdiction granted vnto them by his Maieſtie (from whom on-lie their temporall iuriſdiction doth flow) and in that regarde belonging to them as being one of the eſtates of Parliament moſt neceſſare to be main-tained for giving of their adviſe, counſell and aſſiſtance in all his Maieſties great and weightie affaires, Hes with expreſſe adviſe and conſent of the e-ſtates of Parliament reſtored and redintegrate the Arch biſhops and Bi-ſhops of this Realme to their former authoritie, dignitie, prorogatiue, privi ledges and iuriſdictions lawfullie pertaining and ſhal be known to pertaine to them (alwaies flowing from his Maieſtie, aſwell as anie other ordinar iu-riſdiction doth) and ſpeciallie to the iuriſdiction of commiſſariates and ad-miniſtration of iuſtice by their commiſſioners and deputies in all ſpirituall and eccleſiaſtical cauſes contraverted betwene any perſones dwelling with-in the bounds & diocees of their prelacies and biſhopricks: with ful power to the ſaids Arch-biſhops, Biſhops and their ſucceſſors in all time hereaf-ter to nominate & creare ſufficient, wiſe diſcreet and learned men, beſt ac-quainted with the law and practick of this realme, to ſerue and adminiſtrate iuſtice in the ſaids places of iudicatorie, to conſtitute clarks and all other vnder-officers ſo oft as the ſame ſhal vaik by dimiſſion, deceaſe, deprivation or otherwaies, and to provide othets in their places with as great freedome and libertie as anie Arch-biſhops or Biſhops in this realme formerlie hes done: Which commiſſares to be nominate and create by them ſhall iudge and decide in all cauſſes belonging to their iudicatorie: and wherein the commiſſares preſentlie in office are in vſe to decide, keeping the ſame ſtyle and forme which is preſentlie obſerved, and that manner of proceeding which ſhall be preſcrived and inioyned to them by ſpeciall iniunctiones without anie alteration of the preſent lawes or introduction of new and vn-couth practicks vpon the ſubiects and lieges, and ſhall haue power of con-firmatiõ of teſtaments every one of them within their own boũds, the quo-tes thereof to be payed to the Arc-hbiſhops, Biſhops, their chamberlaines, factors and vnder-receivers appointed by them. For the better affectuating whereof his Maieſtie and eſtates of Parliament ordaines letters of horning

to be given and granted by the Lords of Seſſion in that ſame verie ſort that the Commiſſares preſent hes it, for executiō of al their ſentences & decrets which ſhall happen to be pronounced by them, & compelling of perſones to enter and confirme the teſtaments of their defuncts in the very ſame maner that formerlie hes bene done. And for maintaining all things in better order and the reſtraining of vnlawfull divorcements, too frequentlie practiſed within this realme, to the high diſhonor of God and ſlander of trew Religion: His Maieſtie with adviſe and conſent foreſaid hes ſtatute and ordained that in the burgh of Ediburgh there ſhal be reſident alwaies foure Commiſſares, two to be nominate and appoynted by the Arch-biſhop of Sanctandrois, and two by the Arch-biſhop of Glaſgow, who ſhal haue the onley power to decide in all cauſſes of divorcement, As likewiſe ſhal haue power of reduction of all decreets pronounced by any other Commiſſares to the hurt and prejudice of any of the lieges: before whom it ſhal be onely lawfull to intend and perſew reductions of inferiour Commiſſares their ſentences and decretes *in prima inſtantia*. And incace the ſaids Commiſſares to be appointed by the Arch-biſhops of Sanctandrois and Glaſgow, as ſaid is, performe not their duetie, the Lords of Seſſion ſhall haue power to try, cognoſce and determine in the ſame, and ſhall iudge vpon all decreets and ſentences alledged to be wrongouſlie pronounced by them: And that becauſe they are his Maieſties great Cōſiſtory, to whom his highnes w adviſe of the ſaids eſtates, Giues & grants an high & ſupreme commiſſion for all ſuch cauſſes, to iudge and determine of them in ſuch caces: And declares that it ſhall be lawfull to the ſaids Lords of Counſell and Seſſion To advocate cauſſes to themſelues from anie of the Commiſſares, vpon iuſt & lawfull complaints made to them by anie of the ſubiects, and not orherwaies. Provyding alwaies that the ſaid Seſſion ſhall ever be readie to giue an accompt to his Maieſtie that their advocations haue beene grounded vpon probable and lawfull grounds for the well of the ſubiects. And that this foreſaid act may be put in preſent effect, his Maieſtie with adviſe foreſaid declares all former erections of Commiſſariates to be ſuppreſſed & extinct from this foorth and for ever, all conſtitutions that haue beene in former tyme of the ſame in what ſoever part of the realme the ſame hath bene erected, and by what ſoever manner the ſame hes proceded, acts of parliament ſecreet counſell and others made thereanent. And in like maner diſcharges and annulles all preſentations, gifts or diſpoſitions made by his Highnes to the Commiſſares preſent, or to any other concerning the ſaid commiſſariates, and al rights acquired by them by deceaſe, dimiſſion, or how ſoever the ſame hes vaicked, and all gifts and diſpoſitions made in favors of their Clarks and members of court, by whatſomever manner or order the ſame hes proceeded. With this proviſion alwaies, that the Commiſſares preſentlie in office, their clarks and other members of court, who ſhall be authorized

thorized with teſtimoniall from the Lords of Seſſion of their ſufficiency & qualification to their ſeverall places and offices, ſhall brooke and joiſe the ſame, they alwaies receiving a newe preſentation and gift of their offices from the Arch-biſhops and Biſhops of their dyoſies where they ſerue, betweene and the firſt day of December next to come: Otherwaies if incace the ſaids Commiſſares and other members of court doe not produce the foreſaid Teſtimoniall from the Lord of Seſſion, as ſaid is, It ſhal be lawfull to the Arch-biſhops and Biſhops to provide other ſufficient perſons to the ſaids places, The reſtitution of the ſaid juriſdiction alwaies to be with expreſſe reſervation of his Highnes and his ſucceſſors their prerogatiues and ſupremacy in all cauſſes eccleſiaſticall and civill within this realme. Providing alwaies that this preſent act ſhall no waies be hurtfull nor prejudiciall to the heritable right of the commiſſariate within the bounds of Argyle pertaining to Archebald now Earle of Argyle, but the ſame to ſtand in the ſame force, ſtrength and effect as it was before this preſent act, And notwithſtanding thereof or anie clauſe therin contened *Prout de iure.*

Act of the Commiſſioners of the peace.

FOraſmuch as among the infinite monuments and teſtimonies of his Maieſties trew pietie, ſingulare wiſdome ſinceere zeale to juſtice and fatherly care of his people, the eſtates of this Kingdome haue not found any bringing more deſerved commendation and permanent renowne to his Maieſtie, or greater profit, quyetnes and comfort to his Subiects, nor his conſtant perſeverance in his moſt religious and prudent reſolution to extirpate the vngodlie, barbarous and brutall cuſtome of deadlie feeds, which by the inveterate abuſe of manie bypaſt ages was become ſo frequent in this realme, as the ſubiects of greateſt rank and qualitie vppon everie naughtie occaſion of baſe and vnworthie cóntraverſies of neighborhoode, for turves, fold-dykes, furres or marches of lands, fooliſh words or drunken diſcords betweene their meaneſt ſervants and dependers, and anie other in the countrie, did ſo readilie embrace the protection of their vnjuſt and vnneceſſarie quarrelles, as did manie times involue themſelues and their whole friendſhip in moſt bloudy and mortall troubles, which they did proſecute with ſuch malice and crueltie, as to the extreme perrell of their ſoules, infamie of their memoriall, and overthrow of their owne and their adverſaries houſes, Did diſtract the kingdome in oppoſite factions, and manie times furniſhed matter of moſt pernitious, ſeditious and civill warres. The inconveniences whereof being manifeſtlie ſeene and ſenſiblie felt both by the Princes and people of this

realme in many bypaſt ages and earneſtly ſoght to haue bene remoued, yet the corruption was ſo vniverſall, that the greateſt part prevailing againſt the beſt, that cruell barbaritie had both continuance and daylie increaſe, vntill his Maieſtie bending the excellent wiſdome and rare graces of his royall minde (wherewith God hes endewed him more aboundantlie then any King that ever did raigne in this Iland) againſt that godleſſe, vnnatural and beaſtlie cuſtome, did deviſe and eſtabliſh a moſt godlie, juſt and prudent law and ordinance for the courſe to be obſerved, for removing vpon equitable and iuſt conditions the deadlie feeds, which then ſtood in great number betweene the moſt powerfull ſubiects in this kingdome and their kinſmen, aſſiſters and partakers: In the execution whereof, God having miraculouſlie aſſiſted his Maieſties moſt holy & iuſt intention, after exceding great care and paines taine by his Maieſtie in tryall of the originall cauſes of the ſaids diſcords, the trew circumſtances of the injuries and loſes ſuſtained by eyther party, and in preſcriving dew ſatisfaction to be indifferentlie made for redreſſe of al bypaſt harmes and wrongs, his Maieſties admirable conſtancie hes ſo overcome all difficulties, that the whole knowen feeds within the kingdome being now removed by perfite reconciliation, & iuſt contentment of all parties having intereſt therein, his Maieſties whole ſubiects finds ſuch ioy and happines in the ſweet fruites of his wiſdome and providence expreſſed in that cace, That they earneſtlie wiſh that his Maieſtie who hes ſo carefully exterminate that abhominable peſt of deadlie feeds, may in his ſingulare wiſdome finde meanes for ever to prevent the reviuing of that monſter. Wherein his Maieſtie conſidering that nothing gaue ſo great grouth and ſtrength to that bypaſt barbaritie as the ſlouth of magiſtrates in not ſuppreſſing the firſt ſeeds of theſe diſſentions, which being ſmall and weak in the beginning, for Peets, turves, devits, fold-dykes, poyndings, neighborlie marches, injurious words or light brawles, were then eaſilie to be ſetled, if diligence and authority had beene ioined for repreſſing thereof, which being neglected by theſe to whom it appertained, theſe light jarres and inſolences did very oft kindle ſuch flames of diſorder, diſſention, rankor and feed, as in many yeeres with great ſtreames of bloud, deſolation and ruine of great and auncient houſes and races could hardlie be quenched. For remeed whereof his Maieſtie and eſtates foreſaids Ratifies and approoues the former act made by his Highnes for aboliſhing deadlie feeds in everie head, clauſe and artickle thereof. And farther ſtatutes and ordaines that in everie ſhyre within this kingdome there ſhall be yeerely appointed by his Maieſtie, ſome godlie, wiſe and vertuous gentlemen of good quality, moyen and report, making reſidence within the ſame, in ſuch number as the bounds of the ſhyre ſhall require, to be Commiſſioners for keeping his Maieſties peace, to whō his Maieſty with adviſe of the Lords of his privie Counſel ſhal giue power & commiſſion to overſe, try & prevent

preuent all ſuch occaſiones as may breed trouble and violence amongſt his Maieſties ſubiects, or forceable contempt of his Maieſties authoritie and breach of his peace: and to command all perſones in whom they ſhall ſee manifeſt intention to make trouble or diſorder, eyther by gathering together of ydle and diſorderlie perſones, or by publict bearing or wearing of Piſtolets or other forbidden weapons, and ſuch other riotous & ſwaggring behaviout: to binde themſelues and finde caution vnder competent paines to obſerue his Maieſties peace, and for their compearance before his Maieſties Iuſtice or Lords of his privie Counſell, to vnderly ſuch order as ſhall be found conuenient for puniſhing their tranſgreſſions or ſtaying of troubles and enormities; And if needs bees, to require the dewtifull and obedient ſubiects of the ſhyre to concurre with them in preventing all ſuch contemps and violences, or for taking or warding of the wilfull and diſobedient authors committers & foſterers of theſe crimes & diſorders vnder ſuch competent arbitrare paines as his Maieſtie and Lords of his privie Counſell ſhall appoint for the offenders, and ſuch of the countrie as being required ſhall not giue their ready and afolde concurrance to his Maieſties commiſſioners in the premiſſes, whereby the ordinare magiſtrates & officers within the ſhyres may be the better aſſiſted, and their abſence, imployments or other impediments more commodiouſlie ſupplied, without derogation of their iuriſdiction or want of readie comfort and iuſtice to the obedient ſubiects within the bounds thereof. Ordaining alſo the ſaids commiſſioners to giue trew advertiſement and information to the Lords of his Maieſties privie Counſell, Iuſtice generall and his deputes, his Maieſties Theſaurer and other magiſtrates and officers whom it effeires, of the names of ſuch faithfull and vnſuſpect witneſſes and aſſyſſers to be ſommoned in all crimes and diſorders which ſhall happen to fall forth within the ſaids ſhyres, as ſhall be knowne to be moſt meete and able for tryall and probation of the ſame; and for eſchewing that ſuch as are either aged, ſicklie or vnable to travell, or ignorant of the facts to be tryed, be not vniuſtlie vexed or vnneceſſarly drawne from their owne houſes and effaires for matters wherein they are not able to give anie light.

Act of the apparelles of Iudges, Magiſtrates and Church-men.

OVR Soveraine Lord and Eſtates of this preſent Parliament finding by daylie experiences that the greatnes of his Maieſties empyre, magnificence of his Court, fame of his wiſdome and iuſtice and of the civilitie of his ſubiects, hes already begun to alluré divers foraine Princes and other ſtrangers of all eſtates to make more frequent repaire to this country nor ever they did in a

nie preceeding age: which resort of strangers will by all appearance both continue and dayly more and more increase, and by them, no doubt report wil go through al the world of the estate & governement of the kingdome according to the order which they shal see observed within the same: whereof the rules and good exemple flowing from the estates of Parliament and magistrates to the whole remanent subjects of the realme, It is most necessare that such gravitie and comelines be vsed by the Lords and Commissares of Parliament, and other magistrates in their apparell & behaueor as may best deserue the good report and trew commendation of all Princes, Noble men & other strangers who shall haue occasion to see & relate the same. The respect whereof having induced his Maiestie to prescriue to the Nobility apparel for the Parliamẽt becõming their honorable estate: And vnderstanding that the remanent members of that high Court hes not cõformed themselues to like conveniencie, neither yet that the course intended by his Maiestie for discharging noble men and gentle men to be elected Provosts and magistrates of burrowes (whereof none should be capable but burgesses, actuall traffickers and inhabitants of the saids burrowes) hes taine such effect as is most necessare for preservation of the liberties & good estate of the saids burrowes, & hindring the dissipation of their common good and perverting of their priviledges. For remeede whereof his Maiesty with advise of the estates of his Hignes Parliament Statutes & ordaines that no man shall in anie time comming be capable of Provostrie or other magistracie within anie burgh of this realme, nor to be elected to any of the saids offices within a burgh but marchãts & actuall traffickers inhabiting within the saids burghes allanerlie, and no others. And that the saids magistrates of burrowes to be hereafter elected, and their commissioners of Parliament Shall haue and weare at Parliament conventions and other solemne times and meettings when the dignitie shall require it, such comelie and decent apparell as his Maiestie shall prescriue convenient for their rank and estate, whereby they may be decerned from other common Burgesses, and be more reverenced by the people subiect to their charge. And becauſe a comelie, decent & orderlie habite & apparell in the Iudges of the land, is not onlie an ornament to themselues (being a badge & mark for distinguishing them from the vulgare sort) but the same also breedes in common people that reverence and regarde that is dew and proper for men in these places: And this beeing a custome vniversallie observed almost throgh all Europe, The want whereof is much censured by strangers resorting in these parts. The saids estates therefore vpon infinite proofes they haue of his Maiesties most singulare wisdome in all his directiones and of his gracious loue and affection to this his native kingdome, Haue in all humilitie referred to his Highnes owne appointment The assigning of anie such severall sort of habite and vestiment as shall be in his Maiesties iudge-

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ment moſt fitting & proper, as well for Lords of Seſſion being the ſupreme Iudges in civill actions, as for all other inferior Iudges of the like cauſes; as alſo for the criminall and Eccleſiaſticall Iudges, and for Advocates, Lawyers and all others living by law and practiſe thereof, that ſo everie one of theſe people may be knowen and dignoſced in their place, calling and function, and may be accordinglie regarded and reſpected. Attover his Maieſtie and eſtates foreſaids, conſidering what ſlander and contempt hes ariſen to the Eccleſiaſticall eſtate of this kingdome by the occaſion of the light & indecent apparell vſed by ſome of that profeſſion, and chiefly theſe having vote in Parliament. It is therefore ſtatute that everie Preacher of Gods word ſhall hereafter weare blacke, graue and comelie apparell beſeeming men of their eſtate and profeſſion. As likewaies that all Pryors, Abbots and Prelates having vote in Parliament, and ſpeciallie Biſhops, ſhall weare graue and decent apparell agreable to their function, and as apperteines to mē of their rank, dignity & place. And becauſe the whole eſtates humbly & thākfully acknowledges that God of his great mercie hes made the people and ſubiects of this countrie ſo happy as to haue a King raigne over vs who is moſt godly, wiſe and religious, hating al erroneous and vaine ſuperſtition, juſt in governement and of long experience therein, knowing better then anie King living, what apperteines and is convenient for everie eſtate in their behaviour and dewtie. Therefore it is agreed and conſented to by the ſaids eſtates that what order ſo euer his Maieſtie in his great wiſdome ſhall thinke fit to preſcriue for the apparell of Chiurchmen agreable to their eſtate & moyen, The ſame being ſent in write by his Maieſtie to his Clarke of Regiſter, ſhall be a ſufficient warrand to him for inſerting thereof in the books of Parliament, to haue the ſtrength and effect of an act thereof, with executorials of horning to be direct thervpon againſt ſuch perſons as within the ſpace of fourtie dayes after the publication or intimation to them of the ſaide act or charges vſed againſt them thereupon, ſhall not provide themſelues of the apparell to be appointed by his Maieſtie for men of their vocation and eſtate to be vſed and worne by them and their ſucceſſors at the times and in manner to be expreſſed in the ſaid Act to be made by his Highnes thereanent.

Act of ſkandalous ſpeeches and libels.

OVr Soverain Lord foreſeing that there is nothing ſo neceſſare for the perpetuall well & quietnes of al his ſubiects of this monarchy as the furtherance & accōpliſhment of the vniō of his two famous & moſt ancient kingdomes of Scotland & England, whereof his Maieſtie out of his fatherlie care of the peace and happines of his good & faithfull people, ha-

ving moſt inſtantly & earneſtly ſolicited the perfection, and by the aſſiſtance of the worthieſt members of both kingdomes ſo effectuallie advanced the ſame, as he hopes, God willing, in his raigne to ſee the wiſhed end of that great work, which in his royal perſon hes received ſo miraculous & happy a beginning: And nevertheles finding therein ſuch malicious lettes as the divell & his ſuppoſts doe vſually ſuggeſt to the hinderance of al iuſt & godlie interpriſes, Speciallie by the falſe & calumnious brutes, ſpeeches & writes craftily vttered & diſperſed by ſome lawles & ſouleles people of this realm, aſwell in private conferences as in their meettinges at tavernes, ailehouſes & playes, & by their paſquils, libels, rymes, cockalins, comedies & ſuch like occaſions wherby they ſlāder maligne & revile the people, eſtate & country of England, and divers his Maieſties honorable Counſellors, magiſtrates & worthy ſubiects of that his Maieſties kingdome: the cōtinuance wherof being able to incenſe the people of England to iuſt grief & miſcontentment, may not only hinder the intended vnion of all the good ſubiects of this monarchie, but ſtir vp in them ſuch irreconciliable evil wil, as with time might bring forth moſt dangerous & harmeful effects. For remeede & preventing whereof, his Maieſty remembring how ſtraite & ſevere puniſhment hes by the lawes & acts of his moſt royal progenitors kings of this realme heretofore bene ordained to be inflicted vpon ſuch as ſhould deviſe or vtter falſe & ſlanderous ſpeeches & writes to make diſſentions between the Prince & his ſubiects, or raiſe ſedition in the realme, and conſidering that al ſuch purpoſes & writes as may breed diſliking betweene the inhabitantes of the ſaids kingdomes of Scotlād & Englād, being now al become his Maieſties liege-people, equally ſubiect and equally beloved of his Highnes, Tends to moſt dangerous diſſention & ſeditnon amongs his ſubiects: Therfore his Maieſty with adviſe & conſent of the whole eſtates of this Parliament, ſtatutes and ordaines, That who ſo ever ſhall hereafter by word or write deviſe, vtter or publiſh any falſe, ſlanderous or reprochfull ſpeeches or writes of the eſtate, people or countrie of England, or of any Counſellour thereof, tending to the remembrance of the ancient grudges borne in time of bypaſt troubles, (the occaſion whereof is now happilie aboliſhed by the bleſſed conjunctiō of the ſaids kingdomes vnder his Maieſties ſoveraignity & obedience) or to the hinderance of the wiſhed accompliſhment of the perfect vnion of the ſaids kingdomes, or to the ſlander or reproch of the eſtate, people or countrie of England, or diſhonor or prejudice of anie Cōſellor of the ſaid kingdome, wherby hatred may be foſtered & intertained or miſliking raiſed betweene his Maieſties faithfull ſubiects of this Ile. The authors of ſuch ſeditious, ſlanderous & iniurious ſpeeches or writes or diſperſers thereof, after tryall taine of their offence, either before his Maieſties iuſtice or the Lords of his Highnes privie Counſell, ſhall be ſeverelie puniſhed in their perſons and goods, by inpriſonment, baniſhment, fyning or more rigorous corpo-

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rall paine, as the qualitie of the offence ſhall be found to merite at his Maieſties pleaſure: And all ſuch as hearing or getting knowledge of anie ſuch ſpeeches or writes, ſhal conceale the ſame, and not reveile them to his Maieſties ordinare officers, magiſtrats or Counſellors, wherby the authors and diſperſers thereof may be puniſhed, ſhal vnderly the like tryall & paine.

Act anent fugitiue perſones of the borders to the in-countrie.

FOraſmuch as the Kings Maieſtie is reſolved to purge the middleſhires of this Ile heretofore called the borders of Scotland & England of that barbarous cruelty, wickednes & incivilitie which by inveterate cuſtom was almoſt become naturall to many of the inhabitants thereof, and to reduce them to the knowledge, loue and feare of God, reverence of his Maieſties authority, obedience of his lawes and dutie to their nighbors: For accoplifhing of that moſt royall deſigne, made choſe of one to be Commiſſioner in theſe bounds, whom by manie aſſured prooſes in former imployments of greateſt conſequence, his Maieſtie knew to be indued with all qualities neceſſarie for ſo weightie a charge: who following preciſelie the rules of his Maieſties moſt prudent directions, and vſing all poſſible diligence & dexteritie in proſecution thereof, made ſo happie progreſſe in that good courſe, as juſtlie puniſhing the moſt perverſed & rebellious ringleaders (whoſe amendement was deſperate) and tranſporting others of them fourth of this Ile, the reſt were brought to verie ſetled quyetnes & obedience of his Maieſties lawes, a verie few number of out-lawes onelie excepted, who being ſo earneſtly ſearched & perſued in theſe bounds, as al hope of eſcaping & longer impunity was taine from them, they haue by moſt ſubtle & crafty means of changing their names and diſſembling the place of their nativity, Convoyed themſelues in the in-countries of this realme, and inſinuated themſelues in ſervice with Noble men & others of good qualitie, not only thereby eſchewing their deſerved puniſhment, but alſo abuſing and harming his Maieſties good ſubiects by their darned ſtouths in the incountrie tranſported, reſet & quyetly ſolde in the bounds of the late borders: And again ſtealing geare forth thereof & out of the bounds of theſe middle-ſhires, & outting & ſelling the ſame in the in-countries. Beſides that others of the ſaides outlawes haue beene allured & had reſet & overſight in the in-countries by ſome men of rank & power to be inſtruments & executors of ſuch revenge and miſcheefe againſt theſe to whom they beare malice, grudge or quarrell, which for feare of his Maieſties lawes and authoritie they durſt not attempt by themſelues. For remeede wherof his Maieſty with adviſe and conſent of the eſtates of Parliament, Statutes and ordaines that no man ſhall hereafter either receiue or tereine anie man borne or long habituate in the late borders in his ſervice or cõpany or vpon his lands, vnles he haue certain

knowledge or a trew & authentick teſtimonial of his Maieſties great Commiſſioner of the late borders or his deputes, of the ſaid border-mans trew name and ſurname, place of his nativitie and report of his trueth and lawtie, and that he is no knowen malefactor, but repute a dewtifull & obedient ſubiect, vnder the paine to incur the danger, and to be made anſwerable civilly and criminally to his Maieſtie and all his lawfull ſubiects for al actions and crimes which might be any waies laide to the charge of the ſaids broken men, for anie cauſe or occaſion either preceeding or during the time of their receiuing or retaining them in their ſervice, company or vppon their lands, as if the reſetter had committed the ſaids faults himſelfe. As likewiſe becauſe ſome who are not knowen to haue cõmitted any haynous offence in their owne perſone obtaining teſtimoniall of their name, birth & good report may giue the ſame to broken men to be vſed by them in places where they are not knowen, It is ſtatute and ordained that whoſoever ſhall eyther giue his teſtimoniall to anie man, whereby it may be abuſed by another nor him to whom it was trewlie graunted, or who ſhall falſlie vſe another mans teſtimoniall, or who ſhall fordge to himſelfe or vſe a falſe teſtimonial in the premiſſes, ſhall be puniſht to the death. And to the effect his Maieſties faithfull and obedient ſubiects may haue the better knowledge of the ſaids fugitiues and broken men, and that ſuch as reſet them maye want all pretext and excuſe of ignorance, It is ſtatute and ordained that a Roll ſhall be made by his Maieſties great Commiſſioner of the middle ſhires, conteining the names of the ſaids rebels, fugitiues, outlawes & broken men w the moſt notor & evident marks & deſcription of their age, ſtature, colour & other tokens whereby they may be moſt eaſilie and readily knowen. And being imprinted ſhall be ſent to the ſhireffes and magiſtrates of the in-countries, and proclaimed at the market croſſes of the head burrowes of the ſhyres and other places needfull, And thereafter be publictlie affixed vpon the ſaids croſſes or tolbuithes of the ſaids burrowes. After which publication it is ſtatute that the contraveners of this Act or anie head or artickle of the ſame ſhal be rigorouſlie puniſhed in their perſons and goods in maner foreſaid. *Extractum de Libro Actorum Parliamenti per me Dominum* Ioannem Skene *de Curriehil militem, Clericum Regiſtri Conſilij & rotulorum S. D. N. Regis, teſtantibus meis ſignis & ſubſcriptione manualibus.*